

## **REMARKS**

Claims 22-50 are pending in the Application and all have been rejected in the Office action mailed April 1, 2008. Claims 24, 37, and 43 are amended and new claims 51-66 are added by this response. Claims 22, 35, and 51 are independent claims from which claims 23-34, 36-50, and 52-66 depend, respectively. Applicants respectfully request reconsideration of pending claims 22-50 and consideration of new claims 51-66, in light of the remarks set forth below.

Claims 22, 25-28, 31, 32, 34, 35, 38-41, and 44-47 were rejected under 35 U.S.C. §102(e) as being anticipated by Kennedy III et al. (US 5,734,981, hereinafter "Kennedy"). Claims 23, 24, 29, 33, 36, 37, 42, 43, 48, and 49 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kennedy in view of Henley et al. (US 5,526,353, hereinafter "Henley"). Claim 30 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kennedy in view of Henley, and further in view of Sharman (US 5,774,854). Claim 50 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kennedy in view of Sharman. Applicants respectfully traverse the rejections.

### **I. Kennedy Does Not Anticipate Claims 22, 25-28, 31, 32, 34, 35, 38-41, And 44-47**

Claims 22, 25-28, 31, 32, 34, 35, 38-41, and 44-47 were rejected under 35 U.S.C. §102(e) as being anticipated by Kennedy.

With regard to anticipation rejections, MPEP 2131 states, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). MPEP 2131 also states, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989).

With regard to independent claim 22, Applicants respectfully submit that claim 22 recites, in part, "...at least one converter for selectively converting information received

by the packet interface for transmission via one of the at least one network interface in the associated format, and for selectively converting for transmission via the packet interface information received from the one of the at least one network interface in the associated format;...” Applicants respectfully submit that Kennedy does not teach or suggest at least this aspect of Applicants’ amended claim 22.

The Office asserts, at page 3, that Kennedy teaches “...at least one converter **(174, 176, FIG. 3)** for selectively converting information received by the packet interface **(call delivery information)** for transmission via one of the at least one network interface in the associated format **(column 12, lines 38-42)**, and for selectively converting for transmission via the packet interface information received from the one of the at least one network interface in the associated format **(column 12, lines 30-33);...**” (emphasis in original) See April 1, 2008 Office action at page 5. Applicants respectfully disagree.

Initially, Applicants respectfully submit that Kennedy teaches that elements 174 and 176 of Fig. 3 of Kennedy are “modem and DTMF coder/decoders”. See *id.* at column 11, lines 52-56. Applicants respectfully submit that nothing in Fig. 3 of Kennedy teaches that any information received by “data transceiver 160” of Kennedy, which was identified by the Office as teaching Applicants’ “packet interface”, is converted by “modem/DTMF 174 and 176” of Fig. 3 of Kennedy, for transmission via one of “links 170, 172”. Further, there is nothing in Fig. 3 of Kennedy teaches that teaches that any information received via one of “links 170, 172” of Kennedy, which the Office has identified as teaching Applicants’ “...at least one network interface....”, is converted by “modem/DTMF 174 and 176” of Fig. 3 of Kennedy, for transmission by the “data transceiver 160” of Kennedy, which was identified by the Office as teaching the “packet interface” element of Applicants’ claim 22. Therefore, Applicants respectfully submit that the cited elements 174 and 176 of Fig. 3 of Kennedy do not teach or suggest, at least, “...at least one converter for selectively converting information received by the packet interface for transmission via one of the at least one network interface in the associated format, and for selectively converting for transmission via the packet

interface information received from the one of the at least one network interface in the associated format;...", as recited by Applicants' claim 22.

The Applicants now address the teachings of Kennedy at column 12, lines 38-42, shown below in context and underlined:

Platform 18 receives a call for mobile unit 12 on link 170. A caller 36 establishes a connection with link 170 by placing a call, such as a 1+800 call, to platform 18 or by placing a call to home switch 42 or other switches 48, which then direct the call to platform 18. Caller 36 enters a telephone number or other mobile unit identification number, which is decoded by modem/DTMF 174 or modem 178 and passed to processor 140. Processor 140 validates the mobile unit identification number and upon validation accesses the most recent call delivery information report stored in memory 142 indexed by the mobile unit identification number.

(emphasis added)

This cited portion of Kennedy merely teaches that a caller wishing to contact a mobile unit first calls "platform 18", "home switch 42", or "other switches 48", which then direct the call to "platform 18". The caller then enters a telephone number or other identification number, that "processor 140" validates, and then accesses the most recent "call delivery information report" in memory. This portion of Kennedy does not, however, teach or suggest "...converting information received by the packet interface for transmission via one of the at least one network interface in the associated format...", as recited by Applicants' claim 22. There is nothing in the cited portion of Kennedy shown above that teaches that any information that is received by "data transceiver 160" of Kennedy, which was identified by the Office as teaching Applicants' "packet interface", is converted for transmission via one of "links 170, 172" of Kennedy, which the Office has identified as teaching Applicants' "...at least one network interface..." Therefore, Applicants respectfully submit that the cited portion of Kennedy at column 12, lines 38-42 does not teach or suggest, at least, "...at least one converter for selectively converting information received by the packet interface for transmission

via one of the at least one network interface in the associated format...”, as recited by Applicants’ claim 22.

Next, Applicants address the alleged teachings Kennedy at column 12, lines 30-33, show below in context and underlined:

In operation, data transceiver 160 receives a call delivery information report from mobile unit 12. Data transceiver 160 passes the report to processor 140 of platform 18 using link 158. Processor 140 validates the report using fraud management system 150 and logs the report for usage tracking system 152 and billing system 154. Processor 140 stores the call delivery information report time-stamped and indexed by mobile unit identification number in memory 142. Processor 140 can communicate the call delivery information report using link 156 to home switch 42, other switches 48, or other platforms 18 in a distributed platform system.

The cited portion of Kennedy shown above simply teaches a “processor” receiving a “call delivery information report”. The “processor” then validates and logs the report, stores it, and may later communicate the report to “other switches” or “platforms”. Kennedy clearly states at column 11, lines 7-10 that “Processor 140 communicates with other similarly functioning platforms in a distributed platform embodiment or with home switch 42 or other switches 48 over communications link 156.” (emphasis added) Applicants respectfully submit that “communication link 156” is different from “data transceiver 160” of Kennedy, which was identified by the Office as teaching Applicants’ “packet interface”. The cited portion of Kennedy shown above fails to teach that any information received via one of “links 170, 172” of Kennedy, which the Office has identified as teaching Applicants’ “...at least one network interface....”, is converted for transmission by the “data transceiver 160” of Kennedy, which was identified by the Office as teaching the “packet interface” element of Applicants’ claim 22. Therefore, Applicants respectfully submit that the cited portion of Kennedy at column 12, lines 30-33 does not teach or suggest, at least, “...converting for

transmission via the packet interface information received from the one of the at least one network interface in the associated format...", as recited by Applicants' claim 22.

Applicants respectfully submit that independent claim 22 also recites, in part, "...a controller for receiving call setup information from one of the packet network and the at least one network interface, the controller adapting the operation of the converter and establishing an association between the packet interface and one of the at least one network interface, based upon the call setup information." Applicants respectfully submit that Kennedy also does not teach or suggest at least this aspect of Applicants' amended claim 22.

The Office asserts, at page 3, that Kennedy teaches "...a controller (**166, FIG. 3**) for receiving call setup information (**call delivery information**) from one of the packet network (**16, FIG. 1**) and the at least one network interface (**column 11, lines 33-35**), the controller adapting the operation of the converter and establishing an association between the packet interface (**160, FIG. 3**) and one of the at least one network interface (**170, FIG. 3**), based upon the call setup information (**column 11, lines 48-51, column 12, lines 50-54**);" (emphasis in original) See April 1, 2008 Office action at page 5. Applicants respectfully disagree.

Applicants first address the teachings of Fig. 3 of Kennedy. The Office cites elements 160, 166 and 170 as relevant to the Applicants' claim 22. Applicants respectfully submit that elements 160, 166, and 170 are illustrated in Fig. 3 of Kennedy simply as boxes, and that nothing in the illustration of Fig. 3 teaches anything about, for example, "...the controller adapting the operation of the converter and establishing an association between the packet interface and one of the at least one network interface, based upon the call setup information...", as recited by Applicants' claim 22. The Office has identified Applicants' "controller" and the "converter" of claim 22 as being taught by "element 166" and "modem/DTMF 174, 176" of Fig. 3, which Kennedy describes as "controller 166" and "modem and DTMF coder/decoders 174 and 176", respectively. Fig. 3 of Kennedy fails to teach or suggest, however, that "controller 166" adapts the operation of the converter (i.e., "modem/DTMF 174, 176") and establishes an

association between the packet interface, identified by the Office as being taught by "element 160" of Fig. 3, and one of the at least one network interface, identified by the Office as being taught by "element 170" of Fig. 3, based upon "call delivery information". No explanation is provided by the Office with regard to how Fig. 3 of Kennedy can be interpreted in this manner. Applicants respectfully submit, therefore, that the cited elements of Fig. 3 of Kennedy fail to teach or suggest, at least, "...the controller adapting the operation of the converter and establishing an association between the packet interface and one of the at least one network interface, based upon the call setup information...", as recited by Applicants' claim 22.

Applicants next address the alleged teachings of Kennedy at column 11, lines 33-35, column 11, lines 48-51, and column 12, lines 50-54. The cited portion of Kennedy at column 11, lines 33-35 is shown below in context and underlined:

Data transceiver 160 is similar in construction and operation to data transceiver 100 in mobile unit 12. Data transceiver 160 includes antenna 162, transceiver 164, controller 166, and memory 168. In operation, data transceiver 160 receives data messages from and transmits data messages to mobile unit 12 using data communications network 16. In a typical configuration, data transceiver 160 receives call delivery information reports from many mobile units 12 and requires a higher capacity design than data transceiver 100 in mobile unit 12. Antenna 162 receives an incoming call delivery information report from mobile unit 12 and passes the report to transceiver 164. Controller 166 receives the report from transceiver 164 and passes the report to processor 140 over link 158. Controller 166 accesses operational software and other data stored in memory 168 to control the operation of data transceiver 160. Data transceiver 160 also receives call back messages from platform 18 using link 158, and transmits call back messages to mobile unit 12 using data communications network 16. The call back message transmitted by data transceiver 160 can be broadcast without the need for location information of mobile unit 12, or data transceiver 160 can use location information of mobile unit 12 stored at platform 18 to communicate the call back message.

(emphasis added)

The portion of Kennedy III shown above simply describes the elements of a "data transceiver", teaches that the data transceiver receives and transmits data messages from/to a mobile unit using a data communications network, and teaches that the data transceiver receives call delivery information reports from many mobile units. It also explains that the data transceiver receives "call back messages" from "platform 18" using a "link 158", and transmits "call back messages" to a mobile unit using "data communications network 16". The portion of Kennedy III shown above fails to even mention the "modem/DTMF 174, 176", let alone teach that the "controller 166" adapts the operation of the "modem/DTMF 174, 176", or establishes an association between the "data transceiver 160" and the "link 170", based upon the "call delivery information", as alleged by the Office. Therefore, Applicants respectfully submit that the portion of Kennedy at column 11, lines 33-35 fails to teach or suggest, at least, Applicants' feature "...the controller adapting the operation of the converter and establishing an association between the packet interface and one of the at least one network interface, based upon the call setup information...", as recited by Applicants' claim 22.

Next, Applicants address the alleged teachings of Kennedy at column 11, lines 48-51, which is shown below in context, underlined:

Coupler 146 in platform 18 couples links 170 with links 172, also referred to in the singular as link 170 and link 172. Links 170 couple platform 18 with PSTN 38, other networks 41, home switch 42, and other switches 48 to allow callers 36, desiring to place a call to mobile unit 12, to connect with platform 18. Links 172 couple platform 18 with mobile unit 12. Links 170 and links 172 can include modem and DTMF coder/decoders 174 and 176 or modems 178 and 180. Platform 18 supports voice calls, voice calls with embedded or interleaved data, and partially or fully encoded data calls using modem/DTMF 174 and 176 or modem 178 and 180. Coupler 146, under the direction of processor 140, couples link 170 with link 172 to complete delivery of a call from caller 36 to mobile unit 12. Coupler 146, link 170, and link 172 include the appropriate hardware and software to

control the dialing and call answering capabilities of platform  
18.

(underline added)

The portion of Kennedy shown above teaches that a coupler in a platform, under the direction of a processor, couples a first link to a PSTN, other networks, a home switch, or other switches, with a link to a mobile unit, to complete delivery of a call from a caller to the mobile unit, and that the platform supports voice calls, voice calls with embedded or interleaved data, and partially or fully encoded data calls using a modem and/or modem/DTMF encoder/decoder. This portion of Kennedy, which includes the portion specifically cited by the Office, fails to make any mention of "controller 166", which the Office has identified as teaching Applicants' "controller", and fails to teach or suggest that "controller 166" adapts the operation of the "modem/DTMF 174, 176" and establishes an association between the "data transceiver 160" and the "link 170", based upon the "call delivery information", as alleged by the Office. Therefore, Applicants respectfully submit that the portion of Kennedy at column 11, lines 48-51 also fails to teach or suggest, at least, Applicants'; feature "...the controller adapting the operation of the converter and establishing an association between the packet interface and one of the at least one network interface, based upon the call setup information...", as recited by Applicants' claim 22.

Finally, Applicants turn to the alleged teachings of Kennedy at column 12, lines 50-54, which is shown below in context and underlined:

Depending on the type of call delivery information retrieved from memory 142, processor 140 performs additional processing using look-up tables 144 to determine a proper dialing number and method to establish communications with mobile unit 12. Processor 140 directs coupler 146 to place a call to mobile unit 12 using link 172. Upon establishing a communications link with mobile unit 12, coupler 146 couples link 170 connecting caller 36 with link 172 connecting mobile unit 12.



The portion of Kennedy shown above teaches that a “processor 140” performs additional processing to determine a dialing number and method depending upon the type of call delivery information retrieved from memory. This portion of Kennedy does not, however, make any mention of “controller 166”, which the Office has identified as teaching Applicants’ “controller”, let alone teach that “controller 166” adapts the operation of the “modem/DTMF 174, 176” and establishes an association between the “data transceiver 160” and the “link 170”, based upon the “call delivery information”, as alleged by the Office. Accordingly, Applicants respectfully submit that the portion of Kennedy at column 12, lines 50-54 does not teach or suggest, at least, Applicants’ feature “...the controller adapting the operation of the converter and establishing an association between the packet interface and one of the at least one network interface, based upon the call setup information...”, as recited by Applicants’ claim 22.

Based at least upon the above, Applicants believe that Kennedy fails to teach each and every element of Applicants’ claim 22, as required by M.P.E.P. §2131. Applicants respectfully submit that the Office has failed to establish a *prima facie* case of anticipation, and that the rejection of claim 22 cannot be maintained.

Therefore, Applicants respectfully submit that claim 22 is allowable over Kennedy. Applicants respectfully submit that because claims 23-34 depend from allowable claim 22, claims 23-34 are also allowable, for at least the reasons set forth above. Accordingly, Applicants respectfully request that the rejection of claims 22, 25-28, 31, 32, and 34 under 35 U.S.C. §102(e) be reconsidered and withdrawn.

With regard to independent claim 35, Applicants respectfully submit that claim 35 recites, in part, “...receiving call setup information from one of the packet network and the at least one communication network;...”, “...receiving information from the packet network in a first information format;...”, and “...converting the received information from the first information format to a second information format based upon the call setup”

information;...." (emphasis added) Applicants respectfully submit that Kennedy fails to teach or suggest at least these aspects of Applicants' claim 35.

The Office states that Kennedy teaches "...receiving call setup information (**call delivery information**) from one of the packet network (**16, FIG. 1**) and the at least one communication network (**column 3, lines 40-43**);...", and "...receiving information (**i.e., service identifiers**) from the packet network in a first information format (**column 3, lines 43-54**);..." (emphasis in original) See April 1, 2008 Office action at page 5. Applicants respectfully disagree.

Initially, Applicants respectfully submit that Applicants' claim 35 recites two receiving steps, namely, "receiving call setup information" and "receiving information", and later recites "...converting the received information ... **based upon** the call setup information...." (underline and emphasis added) Applicants' claim 35 is clear that two pieces of information are received, and that the format of one piece of received information is converted to a second format based upon the other piece of received information. The Office, however, identifies the "call delivery information" of Kennedy as teaching Applicants' "receive[ed] call setup information", and then identifies "service identifiers" as teaching Applicants' "receive[ed] information". The Office cites Kennedy at column 3, lines 43-54 as teaching "service identifiers". See April 1, 2008 Office action at page 5. Applicants now address the teachings of Kennedy at column 3, lines 40-54, shown below in context and underlined:

In one embodiment, mobile unit 12 initiates the call delivery process by generating call delivery information and delivering this information over data link 22 of data communications network 16 to platform 18. Call delivery information represents any information that allows platform 18 to deliver calls to mobile unit 12. For example, call delivery information includes information relating to the communications service provider in mobile voice communications network 20 that currently services mobile unit 12. This information includes a system identification number (SID), a mobile serving carrier I.D. (MSCID), a switch I.D. (SWID), or any other identifier of the

communications service provider. Furthermore, call delivery information can be an access number for the communications service provider, such as a number for a roamer access port (RAP). Another form of call delivery information relating to the communications service provider is rural service area (RSA) information or information associated with automatic registration under the IS-41 standard, such as a temporary local dialing number (TLDN). This type of call delivery information relating to the communications service provider of mobile unit 12 may be used by platform 18 to either directly or indirectly deliver a call to mobile unit 12.

The cited portion of Kennedy shown above simply teaches that a mobile unit initiates a call delivery process by generating call delivery information and delivering this information over data communications network 16 to platform 18, and explains that "...[c]all delivery information represents any information that allows platform 18 to deliver calls to mobile unit 12." Notably, this portion of Kennedy makes no mention of "service identifiers" identified by the Office. The cited portion of Kennedy does, however, make reference to "call delivery information" that includes identifiers of a "communications service provider". Therefore, Applicants assume that the Office meant to identify "service provider identifier" rather than "service identifier". Applicants respectfully submit, however, that the "service [provider] identifier", which the Office appears to have identified as teaching Applicants' "receive[ed] information", is simply a part of Kennedy's "call delivery information", which the Office identified as teachings Applicants' "call setup information". Applicants respectfully submit, then, that both the "service [provider] identifier" and "call delivery information" identified by the Office refer to the same element of Kennedy, and that the Office has failed to show where Kennedy teaches both the "receive[ed] call setup information" element and the "receive[ed] information" element, in accordance with Applicants' claim 35.

The Office also stated that Kennedy teaches "...converting the received information (**i.e., service identifiers**) from the first information format (**database time-stamped call delivery information reports**) to a second information format (**call back**

**message)** based upon the call setup information (**column 6, lines 59-67, column 7, lines 1-5**);....” (emphasis in original) See April 1, 2008 Office action at page 5. Applicants respectfully disagree.

Applicants now address the cited portion of Kennedy at column 6, lines 59-67 and column 7, lines 1-5, which are reproduced below in context and underlined:

After receiving a call for mobile unit 12 from caller 36, platform 18 retrieves the most recent call delivery information received from mobile unit 12. Depending on the type of call delivery information, platform 18 either immediately establishes voice communications with mobile unit 12 or performs a further database look-up or other processing to determine the communications service provider of mobile unit 12 and the proper procedure for establishing voice communications. If the call delivery information is a position of mobile unit 12 or vehicle 14, platform 18 relates the position to a communications service provider. Platform 18 maintains a list of MSCIDs, SIDs, SWIDs, NPAs, RAPs, and other communications service provider identifiers, correlated with geographical service area, to determine the proper access number and calling procedure to establish a communications link with mobile unit 12.

(underline added)

The portion of Kennedy shown above teaches that after receiving a call for a mobile unit, “platform 18” retrieves the most recent “call delivery information” received from the mobile unit, and uses that “call delivery information” to establish voice communication with the mobile unit, or determines the communications service provider of the mobile unit, using lists of “MSCIDs”, “SIDs”, “SWIDs”, “NPAs”, “RAPs” and other “communication service provider identifiers” maintained by “platform 18”. The portion of Kennedy shown above does not, however, teach or suggest “converting” anything, and makes no mention of converting information in one format to a second format. It also fails to teach anything about a “call back message”. Further, Applicants respectfully submit that the “call back message” of Kennedy is not simply a conversion of

information in a first format (i.e., the “call delivery information”) of Kennedy to a “second format” (i.e., the “call back message”). With regard to the “call delivery information report” of Kennedy, which the Office has identified as teaching Applicants’ “first information format”, Kennedy explains that “[c]all delivery information represents any information that allows platform 18 to deliver calls to mobile unit 12.” (emphasis added) Kennedy teaches, at column 3, lines 25-27, that “[p]latform 18 delivers a call to mobile unit 12 over mobile voice communication network 20 using the call delivery information.” Kennedy III further defines “call delivery information” as including “...information relating to the communications service provider in mobile voice communications network 20 that currently services mobile unit 12...”, and offers examples, including “...a system identification number (SID), a mobile serving carrier I.D. (MSCID), a switch I.D. (SWID), or any other identifier of the communications service provider.” Kennedy also states that “...call delivery information can be an access number for the communications service provider, such as a number for a roamer access port (RAP).” Another form of call delivery information relating to the communications service provider is rural service area (RSA) information or information associated with automatic registration under the IS-41 standard,...” Kennedy also states, at column 3, line 63 to column 4, line 4:

Call delivery information also includes positional information of mobile unit 12. Mobile unit 12 equipped with a positioning receiver may obtain position information from a satellite-based or land-based positioning system 24. Mobile unit 12 receives position information over position information streams 26 from a plurality of satellites 28. The position information comprises accurate satellite location information and pseudorange data represented by the time of arrival of position information streams 26 to mobile unit 12.

(emphasis added)

Kennedy teaches that “...platform 18 **communicates** a call back message to **mobile unit** 12 using data communications network 16...” See *id.* at column 3, lines 28-30. In addition, Kennedy states that “[t]he call back message can **request** mobile

unit 12 **to call** platform 18 or caller 36 directly.” See *id.* at column 7, lines 62-64. Applicants respectfully submit that Kennedy does not teach or suggest that the format of a “call delivery information report” which Kennedy describes as including “...information relating to the communications service provider in mobile voice communications network 20 that currently services mobile unit 12...” and “...positional information of mobile unit 12...” is converted to a “call back message” format, which Kennedy explains is a request to call a “platform 18” or “caller 36”. In other words, the “call delivery information report” relates to an **identifier of the system serving a mobile or the location of a mobile**, while the “call back message” of Kennedy **identifies a party to be called by a mobile**, and that a change of one format to another format does not change the type of information present (e.g., from an identifier of a serving system to a request to place a call). Therefore, Applicants respectfully submit that the cited portion of Kennedy at column 6, lines 59-67, column 7, lines 1-5 does not teach or suggest, at least, “...converting the received information from the first information format to a second information format based upon the call setup information;...”, as recited by Applicants’ claim 35.

Applicants respectfully submit that claim 35 also recites, in part, “...sending the converted information via the one of the at least one communication network;...” Applicants respectfully submit that Kennedy fails to teach or suggest at least this aspect of Applicants’ claim 35.

The Office states that Kennedy teaches “...sending the converted information (**call back message**) via the one of the at least one communication network (**column 7, lines 51-57**);...” (emphasis in original) See April 1, 2008 Office action at page 5. Applicants respectfully disagree.

Applicants respectfully note that the Office has identified Applicants’ claim element “one of the at least one communication network” as being taught by element 38 of Fig. 1 of Kennedy, which Fig. 1 of Kennedy shows as “PSTN 38”, and Kennedy describes as “public switched telephone network (PSTN) 38”. See *id.* at column 6, line

8. Applicants now address the alleged teaching of Kennedy at column 7, lines 51-57, shown below in context and underlined:

In another embodiment, platform 18 initiates the call delivery process upon receiving a call from caller 36 for mobile unit 12. Using the data communications network 16, platform 18 communicates a call back message to mobile unit 12. This call back message can be directed to mobile unit 12 based on location information stored at platform 18, or the call back message can be broadcast over data communications network 16 without knowing the location of mobile unit 12. For example, some data communications technologies may require an exact or approximate position of mobile unit 12 to deliver the call back message, whereas other data communications technologies, such as paging systems, can deliver a call back message without location information of mobile unit 12. The call back message can request mobile unit 12 to call platform 18 or caller 36 directly.

(underline added)

The portion of Kennedy shown above teaches that "platform 18" initiates delivery of a call to "mobile unit 12" upon receiving a call from "caller 36". The "platform 18" uses the "data communications network 16" to communicate a "call back message" to "mobile unit 12". The "call back message" of Kennedy can request "mobile unit 12" to call "platform 18" or "caller 36" directly. This portion of Kennedy confirms what Applicants have previously shown. That is, that Kennedy teaches that the "call back message", which the Office identified as teaching Applicants' "converted information" (i.e., the "receive[ed] information" in the "second information format"), is sent to the "mobile unit 12" by "platform 18" via "data communication network 16". The portion of Kennedy cited by the Office fails to teach or suggest, however, that the "call back message" sent to the "mobile unit 12" is sent via the "PSTN 38", which the Office identified as teaching Applicants' "one of the at least one communication network." Therefore, Applicants respectfully submit that the cited portion of Kennedy at column 7,

lines 51-57 does not teach or suggest at least "...sending the converted information via the one of the at least one communication network;...", as recited by Applicants' claim 35.

In addition, Applicants respectfully submit that claim 35 recites, in part, "...accepting information from the one of the at least one communication network in the second information format;..." Applicants respectfully submit that Kennedy fails to teach or suggest at least this aspect of Applicants' claim 35.

The Office states that Kennedy teaches "...accepting information (**i.e., calls, modem/DTMF decoded inputs**) from the one of the at least one communication network (**38, 41, FIG. 1**) in the second information format (**column 12, lines 36-42**);...." (emphasis in original) See April 1, 2008 Office action at page 5. Applicants respectfully disagree.

Initially, Applicants respectfully submit that the Office previously identified Applicants' "converted information" (i.e., the "receive[ed] information" in the "second information format") as being taught by the "call back message" of Kennedy. Applicants now address the alleged teachings of column 12, lines 36-42 of Kennedy, shown below in context and underlined:

Platform 18 receives a call for mobile unit 12 on link 170. A caller 36 establishes a connection with link 170 by placing a call, such as a 1+800 call, to platform 18 or by placing a call to home switch 42 or other switches 48, which then direct the call to platform 18. Caller 36 enters a telephone number or other mobile unit identification number, which is decoded by modem/DTMF 174 or modem 178 and passed to processor 140. Processor 140 validates the mobile unit identification number and upon validation accesses the most recent call delivery information report stored in memory 142 indexed by the mobile unit identification number.

(emphasis added)



This cited portion of Kennedy teaches that a caller wishing to contact a mobile unit first calls “platform 18”, “home switch 42”, or “other switches 48”, which then direct the call to “platform 18”. The caller then enters a telephone number or other identification number, that “processor 140” validates, and then accesses the most recent “call delivery information report” in memory. However, this portion of Kennedy does not even mention the “call back message” of Kennedy, which the Office identified as teaching Applicants’ “converted information” (i.e., the “receive[ed] information” in the “second information format”), and clearly does not teach that a “call back message” (i.e., the “second information format”) is “accepted” by “elements 38, 41” of Fig. 1 of Kennedy, which Kennedy describes as “public switched telephone network (PSTN) 38” and “other platforms 41”. Instead, as has been shown previously, Kennedy teaches that “call back messages” are sent to the “mobile unit 12” via “data communications network/packet network 16”. Therefore, Applicants respectfully submit that the cited portion of Kennedy at column 12, lines 36-42 of Kennedy does not teach or suggest, at least, “...accepting information from the one of the at least one communication network in the second information format ...”, as recited by Applicants’ claim 35.

Applicants’ claim 35 also recites, in part, “...transforming the accepted information from the second information format to the first information format based upon the call setup information;...” Applicants respectfully submit that Kennedy fails to teach or suggest at least this aspect of Applicants’ claim 35.

The Office states that Kennedy teaches “...transforming the accepted information **(i.e., calls, modem/DTMF decoded inputs)** from the second information format **(call back messages)** to the first information format **(call delivery information)** based upon the call setup information **(column 12, lines 46-50);...**” (emphasis in original) See April 1, 2008 Office action at pages 5-6. Applicants respectfully disagree.

Applicants now address the portion of Kennedy at column 12, lines 46-50, which is shown below in context and underlined:

Depending on the type of call delivery information retrieved from memory 142, processor 140 performs additional processing using look-up tables 144 to determine a proper dialing number and method to establish communications with mobile unit 12. Processor 140 directs coupler 146 to place a call to mobile unit 12 using link 172. Upon establishing a communications link with mobile unit 12, coupler 146 couples link 170 connecting caller 36 with link 172 connecting mobile unit 12.

As discussed previously, the portion of Kennedy shown above simply teaches that a "processor 140" performs additional processing to determine a dialing number and method depending upon the type of call delivery information retrieved from memory. This portion of Kennedy does not, however, make any mention of transforming information from one format to another, and fails to say anything about the use of a "call back message", which Applicants have previously shown is sent to the "mobile unit 12" by "platform 18" via "data communications network 16" to request that "mobile unit 12" call "platform 18" or "caller 36". No mention is made of "transforming" a "call back message", which the Office identified as teaching Applicants' feature "second information format", to "call delivery information", which the Office identified as teaching Applicants' feature "first information format". The Office offers no explanation or support for this interpretation of Kennedy. Therefore, Applicants respectfully submit that the Office has failed to show where Kennedy at column 12, lines 46-50 teaches or suggests, at least, "...transforming the accepted information from the second information format to the first information format based upon the call setup information;...", as recited by Applicants' claim 35.

Based at least upon the above, Applicants respectfully submit that the Office has failed to show where Kennedy teaches each and every element of Applicants' claim 35, as required by M.P.E.P. §2131, that the Office has failed to establish a *prima facie* case of anticipation, and that the rejection of claim 35 under 35 U.S.C. §102(e) cannot stand.

Therefore, Applicants believe that claim 35 is allowable over Kennedy. Because claims 36-50 depend from allowable independent claim 35, Applicants respectfully

submit that claims 36-50 are also allowable, for at least the same reasons. Therefore, Applicants respectfully request that the rejection of claims 35, 38-41, and 44-47 under 35 U.S.C. §102(e) be reconsidered and withdrawn.

## **II. The Proposed Combination Of Kennedy And Henley Does Not Render Claims 23, 24, 29, 33, 36, 37, 42, 43, 48, And 49 Unpatentable**

Claims 23, 24, 29, 33, 36, 37, 42, 43, 48, and 49 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kennedy in view of Henley. Applicants respectfully submit that claims 23, 24, 29, and 33 depend from independent claim 22, and that claims 36, 37, 42, 43, 48, and 49 depend from independent claim 35. Applicants respectfully submit that claims 22 and 35 are allowable over the proposed combination of Kennedy and Henley, in that the Office has failed to show where Henley overcomes the deficiencies of Kennedy set forth above. Because claims 22 and 35 are allowable over the proposed combination of references, Applicants respectfully submit that claims 23, 24, 29, 33, 36, 37, 42, 43, 48, and 49 that depend therefrom are also allowable, for at least the same reasons. Therefore, Applicants respectfully request that the rejection of claims 23, 24, 29, 33, 36, 37, 42, 43, 48, and 49 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

## **III. The Proposed Combination Of Kennedy, Henley, And Sharman Does Not Render Claim 30 Unpatentable**

Claim 30 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kennedy in view of Henley, and further in view of Sharman. Applicants respectfully submit that claim 30 depends indirectly from independent claim 22. Applicants respectfully submit that claim 22 is allowable over the proposed combination of Kennedy, Henley, and Sharman, in that the Office has failed to show where either or both of Henley and Sharman overcome the deficiencies of Kennedy, as set forth above. Because claim 22 is allowable over the proposed combination of references, Applicants respectfully submit that claim 30 that depends therefrom is also allowable, for at least

the same reasons. Therefore, Applicants respectfully request that the rejection of claim 30 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

#### **IV. The Proposed Combination Of Kennedy And Sharman Does Not Render Claim 50 Unpatentable**

Claim 50 was rejected under 35 U.S.C. §103(a) as being unpatentable over Kennedy in view of Sharman. Applicants respectfully submit that claim 50 depends from independent claim 35. Applicants respectfully submit that claim 35 is allowable over the proposed combination of Kennedy and Sharman, in that the Office has failed to show where Sharman overcomes the deficiencies of Kennedy set forth above. Because claim 35 is allowable over the proposed combination of references, Applicants respectfully submit that claim 50 that depends therefrom is also allowable, for at least the same reasons. Therefore, Applicants respectfully request that the rejection of claim 50 under 35 U.S.C. §103(a) be reconsidered and withdrawn.

#### **Newly Added Claims**

Applicants have added new claims 51-66, which are similar in many respects to pending claims 35-50. New claim 51 is an independent claim from which new claims 52-66 depend either directly or indirectly. Applicants respectfully submit that new claims 51-66 are allowable over any of Kennedy, Henley, and Sharman for at least the reasons set forth above with respect to claims 35-50. Applicants respectfully submit that new claims 51-66 do not add new matter.

#### **Conclusion**

In general, the Office Action makes various statements regarding the claims and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. However, Applicants expressly reserve the right to challenge such statements in the future should the need arise (e.g., if such statements should become relevant by appearing in a rejection of any current or future claim).

Appln. No. 10/783,572  
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Reply to Office action mailed April 1, 2008

An early Office Action on the merits and allowance of claims 22-66 is respectfully requested.

The Commissioner is hereby authorized to charge any fees required by this submission to the Deposit Account of McAndrews, Held & Malloy, Ltd., Account No. 13-0017.

Respectfully submitted,

Dated: September 2, 2008  
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